

[FILED ELECTRONICALLY]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

S3 05 CR. 621 (RJS)

- against -

ALBERTO WILLIAM VILAR
and GARY ALAN TANAKA,

Defendants.

NOTICE OF MOTION
TO PRECLUDE EVIDENCE
TAINTED BY THE
ILLEGAL SEARCH OF
AMERINDO'S OFFICES
IN THE UNITED STATES

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PLEASE TAKE NOTICE that, pursuant to the Court's scheduling order of May 5, 2008, upon the accompanying memorandum of law, and exhibits thereto, and all prior papers and proceedings, Defendant ALBERTO WILLIAM VILAR will move this Court at a date and time to be fixed by the Court, at the United States District Courthouse located at 500 Pearl Street, New York, New York, for an order precluding the government from introducing into evidence or otherwise exploiting at trial any tainted evidence; and granting such other and further relief as the Court may deem just and proper, including a hearing.

Oral argument on the motion is requested.

Dated: New York, New York
July 31, 2008

/s/_____
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